

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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DAWN M. EICHMAN,

Plaintiff,

v.

KOHN LAW FIRM, S.C.;  
MATTHEW RICHBURG, an individual and  
representative of Kohn Law Firm, S.C.;  
JOHN DOE, ONE UP, an individual and representative  
of Kohn Law Firm, S.C.; and JANE DOE,  
ONE UP, an individual and representative of  
Kohn Law Firm, S.C.;

Defendants.

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ORDER

09-cv-533-slc

This is a civil action for injunctive and monetary relief in which plaintiff Dawn Eichman, who is proceeding pro se, alleges that the defendants violated the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, and the Wisconsin Consumer Act, Wis. Stat. § 427, by engaging in abusive, deceptive and unfair debt collection practices. Plaintiff has paid the \$350 fee for filing this case.

The next step is for plaintiff to serve her complaint on the named defendants, Kohn Law Firm, S.C. and Matthew Richburg. Under Fed. R. Civ. P. 4(m), a plaintiff has 120 days after filing a complaint in which to serve the defendants. However, that is an outside limit with few exceptions. This court requires that a plaintiff act diligently in moving her case to resolution. If plaintiff acts promptly, she should be able to serve her complaint on the defendants well before the deadline for doing so established in Rule 4.

Copy of this document has been  
provided to W. J. H.  
this 3<sup>rd</sup> day of Sept., 2009  
by C. A. Korth  
C. A. Korth, Secretary to  
Magistrate Judge Crocker

To help plaintiff understand the procedures for serving her complaint, I am enclosing with this memorandum copies of documents titled "Procedure for Serving a Complaint on a Corporation in a Federal Lawsuit" and "Procedure for Serving a Complaint on Individuals in a Federal Lawsuit." In addition, I am enclosing to plaintiff extra copies of her complaint and forms she will need to send to the defendants in accordance with the procedures set out in Option 1 of the memorandum.

After an answer is filed on behalf of defendants Richburg and Kohn Law Firm S.C., a preliminary pretrial conference will be held. At the time of the conference, I will discuss with the parties the most efficient way to obtain identification of the unnamed defendants and will set a deadline within which plaintiff is to amend her complaint to identify them.

#### ORDER

IT IS ORDERED that plaintiff promptly serve her complaint on defendants Kohn Law Firm S.C. and Matthew Richburg and file proof of service of her complaint as soon as service has been accomplished. If, by October 15, 2009, plaintiff fails to submit proof of service of her complaint on the defendants or explain her inability to do so, I will direct plaintiff to show cause why her case should not be dismissed for lack of prosecution.

Entered this 2d <sup>SEPTEMBER</sup> day of ~~August~~, 2009.

BY THE COURT:



STEPHEN L. CROCKER  
Magistrate Judge